

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.) No. 4:05CR98 HEA
) (FRB)
 JESUS MANUEL LOPEZ-SERANO,)
)
 Defendant.)

All pretrial motions in the above cause were referred to the undersigned United States Magistrate Judge pursuant to 28 U.S.C. § 636(b).

1. Motion for Material the Government Intends to Offer Pursuant to Rule 404(b) Federal Rules of Evidence (Docket No. 39)

2. Motion for Disclosure of Impeaching Information
(Docket No. 40)

The government is required to provide to the defendant any evidence in its possession which is favorable to the defendant and which is material to the guilt or innocence of the defendant or to punishment. Brady v. Maryland, 373 U.S. 83 (1963). This includes evidence which may be used to impeach the testimony of

government witnesses. United States v. Bagley, 473 U.S. 667 (1985).

The government shall provide to the defendant the following material or information, if any exists, as to any person who it calls as a witness at the trial of this case:

1. The prior criminal history of convictions of the witness;
2. Any consideration offered or given to the witness in exchange for his/her testimony and/or cooperation in the investigation of the case;
3. Any statement of the witness which relates to the subject matter about which he/she is to testify (Jencks Act Material).

To the extent that the defendant's motion seeks disclosure of the matters ordered disclosed above, it should be granted. In all other respects, it should be denied.

IT IS HEREBY ORDERED that defendant Jesus Manuel Lopez-Serano's Motion for Material the Government Intends to Offer Pursuant to Rule 404(b) Federal Rules of Evidence (Docket No. 39) is granted.

IT IS FURTHER ORDERED defendant Jesus Manuel Lopez-Serano's Motion for Disclosure of Impeaching Information (Docket No. 40) is granted in part and denied in part.


UNITED STATES MAGISTRATE JUDGE

Dated this 22nd day of June, 2005.